



Signed: October 01, 2010

Randall J. Newsome

RANDALL J. NEWSOME
U.S. Bankruptcy Judge

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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re:

Case No. 10-48733 RN

RENE FEDERICO MARROQUIN and
GLORIA ESPERANZA MARROQUIN,

Chapter 13

Debtors.

ORDER VALUING LIEN OF BANK OF
AMERICA, NA

On September 8, 2010, Rene and Gloria Marroquin (hereinafter Debtors) served a motion to value the lien of Bank of America, NA (hereinafter Lienholder) against the property commonly known as 100 Quail Court, Hercules, CA 94547, which lien was recorded in Contra Costa County on or about June 27, 2006 as document 020308700 (hereinafter the Lien).

The court finds that notice of the motion upon Lienholder was proper. Lienholder having failed to file timely opposition to Debtors' motion, the court hereby orders as follows.

(1) For purposes of Debtors' chapter 13 plan only, the Lien is valued at zero, Lienholder does not have a secured claim, and the Lien may not be enforced, pursuant to 11 U.S.C. §§ 506, 1322 (b) (2) and 1327.

1 (2) This order shall become part of Debtors' confirmed chapter 13
2 plan.

3 (3) Upon entry of a discharge in Debtors' chapter 13 case, the
4 Lien shall be voided for all purposes, and upon application by
5 Debtors, the court will enter an appropriate form of judgment voiding
6 the Lien.

7 (4) If Debtors' chapter 13 case is dismissed or converted to one
8 under another chapter before Debtors obtain a discharge, this order
9 shall cease to be effective and the Lien shall be retained to the
10 extent recognized by applicable nonbankruptcy law, and upon
11 application by the Lienholder, the court will enter an appropriate
12 form of order restoring the Lien.

13 (5) Except as provided by separate, subsequent order of this
14 court, the Lien may not be enforced so long as this order remains in
15 effect.

16 *** END OF ORDER ***
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COURT SERVICE LIST

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